

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of VIRGINIA

Citation

Condition or Requirement

§1924 Provisions

- a. Income and Resource eligibility policies used to determine eligibility for institutionalized spouses who have spouses living in the community are consistent with §1924.
- b. In the determination of resource eligibility the state resource standard is \$12,000 adjusted annually in accordance with §1924(g).
- c. An institutionalized spouse who (or whose spouse) has excess resources shall not be found ineligible under title XIX of the Social Security Act, per §1924(c)(3)(C), where the state determines that denial of eligibility on the basis of having excess resources would work an undue hardship.

OBRA 90
(§4714)

- d. State community property laws do not apply for purposes of post-eligibility treatment of income.

OBRA 90
(§4714)

- e. The spousal share is determined at the beginning of the first continuous period of institutionalization (beginning on or after September 30, 1989) of the institutionalized spouse.

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